

Customer No. 31013

Attorney Docket No. 099908/00020

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Stumphauzer, William C. Confirmation No.: 7475  
U.S. Serial No.: 09/900,935  
Filing Date: July 09, 2001  
Examiner: Tan H. Trinj  
Group Art Unit: 2684  
For: SYSTEM AND METHOD FOR CREATING AND  
RECEIVING PERSONALIZED BROADCASTS

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: 12/7/05

Signature: [Signature]

Jonathan S. Caplan  
Reg. No. 38,094

**RESPONSE TO OFFICE ACTION**

Sir:

In response to the Office Action mailed August 25, 2005 ("Office Action"), please enter and consider the following Remarks. Claims 1-29 are pending in the above-identified application.

Claims 1-9, 11, 13-20, 23-25 and 28 stand rejected under 35 U.S.C. §102(e) over U.S. Publication No. 2002/0183059 to *Noreen et al.* ("Noreen"). Claims 10, 12, 21-22 and 26-27 stand rejected under 35 U.S.C. §103 over Noreen in view of U.S. Publication No. 2001/0053944 to *Marks* ("Marks"). For at the least the reasons provided below, Applicant respectfully submits that the pending claims are neither taught nor suggested by either reference cited by the